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Report of the International Criminal Court

Letter dated 12 July 2011 from the Secretary-General addressed to the President of the General Assembly

In accordance with article 3 of the Relationship Agreement between the United Nations and the International Criminal Court, I have the honour to convey the attached note verbale dated 30 June 2011 from the Registrar of the Court (see annex) regarding voluntary contributions in respect of the situation in Libya referred to the International Criminal Court pursuant to Security Council resolution 1970 (2011).

I should be most grateful if you would bring the present letter and its attachment to the attention of the members of the General Assembly.

(*Signed*) **BAN** Ki-moon

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Annex

Note verbale dated 30 June 2011 from the Registrar of the International Criminal Court addressed to the President of the General Assembly

The Registrar of the International Criminal Court presents her compliments to the President of the General Assembly and has the honour to refer to Security Council resolution 1970 (2011), whereby the Council decided to refer the situation in the Libyan Arab Jamahiriya since 15 February 2011 to the Prosecutor of the International Criminal Court. In paragraph 8 of the same resolution, the Council "recognizes that none of the expenses incurred in connection with the referral, including expenses related to investigations or prosecutions in connection with that referral, shall be borne by the United Nations and that such costs shall be borne by the parties to the Rome Statute and those States that wish to contribute voluntarily".

The Registrar recalls that since the adoption of resolution 1970 (2011), the Prosecutor of the International Criminal Court decided to open an investigation into the situation in the Libyan Arab Jamahiriya and, on 16 May 2011, requested the Pre-Trial Chamber to issue warrants of arrest against Muammar Gaddafi, Saif al-Islam Gaddafi and Abdullah El-Senussi. The Pre-Trial Chamber has granted the Prosecutor's request and arrest warrants have now been issued.

The Registrar notes that the International Criminal Court has incurred, and is likely to continue incurring, substantial costs in relation to the situation in the Libyan Arab Jamahiriya. The Registrar is mindful that budgetary matters are within the purview of the General Assembly, and as such would call upon all States in the Assembly to consider making voluntarily contributions to the International Criminal Court, in line with paragraph 8 of Security Council resolution 1970 (2011). The Registrar has opened a special trust fund to accept voluntary contributions to cover expenses exclusively related to the situation in the Libyan Arab Jamahiriya and account details will be made available to any interested State.

In addition, the Registrar would note that pursuant to article 115 (b) of the Rome Statute, the United Nations may provide funds to the International Criminal Court, with the approval of the General Assembly, inter alia in respect of expenses incurred owing to referrals by the Security Council. Pursuant to article 13 (1) of the Relationship Agreement between the International Criminal Court and the United Nations, such funds would be provided through special arrangements made between the International Criminal Court and the United Nations. The Registrar is commencing discussions with the United Nations in respect of setting up such arrangements, so that in the future the United Nations may provide funds to the International Criminal Court in this way in respect of referrals by the Security Council.

The Registrar of the International Criminal Court would respectfully request the President of the General Assembly to share the present note verbale with all members of the General Assembly, and she makes herself available to any Member State for consultations.